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JAN 22 2003
PATENT & TRADEMARK OFFICE
**IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventor(s): Viatcheslav OSSIPOV et al.

Confirmation No.: 1278

Application No.: 09/975,297

Examiner: Ida M. SOWARD

Filing Date: Oct. 12, 2001

Group Art Unit: 2822

Title: HIGH-CURRENT AVALANCHE-TUNNELING AND INJECTION-TUNNELING SEMICONDUCTOR-DIELECTRIC-METAL STABLE COLD EMITTER, WHICH EMULATES THE NEGATIVE ELECTRON AFFINITY MECHANISM OF EMISSION

COMMISSIONER FOR PATENTS
Washington, D.C. 20231

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**NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, August 22, 2002, rejecting the following claims 1-14 and 21-23.
The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$320.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

(X) (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

<input type="checkbox"/> one month	\$110.00	01/23/2003 SFELEKE1 00000036 082025 09975297
<input checked="" type="checkbox"/> two months	\$410.00	
<input type="checkbox"/> three months	\$930.00	01 FC:1401 320.00 CH
<input type="checkbox"/> four months	\$1450.00	02 FC:1252 410.00 CH

The extension fee has already been filed in this application.

(b) Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account **08-2025** the sum of **\$730.00**. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231. Date of Deposit: _____

OR

I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number _____ on _____

Number of pages:

Typed Name:

Signature: _____

Respectfully submitted,

Viatcheslav OSSIPOV et al.

By John W. Ryan
JOHN W. RYAN

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Date: January 22, 2003

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